

REMARKS

In accordance with the foregoing, the drawings, specification and claims 1 and 3-8 are amended. New claims 9-17 are presented. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended drawings, specification, claims and new claims are respectfully requested.

Claims 1-17 are pending and under consideration.

Please note that item numbering "17" and "18" is repeated on page 5 and page 6, and the item numbering "19" is repeated on page 6.

CLAIM AMENDMENTS

Independent claim 1 is amended to recite that a home-delivery method includes "registering user information including a home address and a working place address of the receiver in a home-delivery server. . . (and) . . . selecting a place for receiving the parcel from a group including a vicinity of the receiver's home and working place." (See, for example, pages 14-15 starting at line 8).

Independent claim 5 is amended to recite a home-delivery server includes "a database registering user information including a home address and a working place address of the receiver . . . (and) . . . means for receiving first information about a consignment relay station designated by selecting a place for receiving the parcel from a group including a vicinity of the receiver's home and working place." (See, for example, pages 9-10 starting at line 27).

Independent claim 8 is amended to recite a computer-readable storage storing a program for controlling a computer to control a home-delivery system, by "designating a consignment relay station from a group including a vicinity of the receiver's home and working place." (See, page 21, lines 8-12).

Claims 3-4 and 6-7 are amended to correspond to claims 1 and 5, respectively.

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

ITEM 4: OBJECTION TO THE DRAWINGS

The Examiner objects to the drawings contending they fail to comply with 37 CFR 1.86(p)(5) because "they do not include . . . reference sign(s) mentioned in the description: 4, 5, DB, and DASD."

FIG. 1 is amended herein to include reference signs --4-- and --5--. The paragraph beginning at page 11, line 17 is amended herein to delete reference sign --DB-- from the description.

Regarding the objection that the term --DASD-- is not shown in the drawings, the paragraph beginning at page 32, line 10 describes "shown in Fig. 18 . . . (is) . . . a network medium STC such as a server or a Direct Access Storage Device (DASD) connected via a network " That is, FIG. 18 shows network medium STC that may be a server or a Direct Access Storage Device (DASD).

Withdrawal of the objection to the drawings is respectfully requested.

ITEMS 7, 10, AND 12: REJECTION OF CLAIMS 3, 4, 6, and 7 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner rejects claims 3 and 6, and claim 4, under 35 U.S.C. §112, second paragraph contending there is insufficient antecedent basis, respectively, for the term --area--, and the phrase "the designated day and time." (Action at pages 2-3). Claim 3 is amended herein to replace the term --the area-- with "an area," claim 6 is dependent on claim 3, and claim 7 is dependent on claim 6. Claim 1, as amended, recites the phrase --a designated day and time--, and claim 4 is dependent on claim 1. Withdrawal of the rejection is requested.

ITEMS 8-9: REJECTION OF CLAIMS 3-4 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner rejects claims 3 and 4 under 35 U.S.C. §112, second paragraph contending the claims are unclear. (Action at pages 2-3). Claim 3 is amended herein to recite that a method includes "selecting a consignment relay station by the receiver from the transmitted map displayed on the receiver's terminal." Claim 4 is amended herein to recite a method that includes "displaying information about a privilege." Withdrawal of the rejection is requested.

ITEM 11: REJECTION OF CLAIMS 5, 7 AND 8 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner rejects claims 5, 7 and 8 under 35 U.S.C. §112, second paragraph contending it is unclear "how the relay station now delivers the parcel." (Action at page 3). Claims 5 and 8 are amended herein to recite that "a deliveryman" delivers the parcel, and claim 7 is dependent on claim 5. Withdrawal of the rejection is requested.

ITEMS 14-18: REJECTION OF CLAIMS 1, 5, 7, AND 8 UNDER 35 U.S.C. §102(e) BY TSUKUDA (U.S.P. 6,085,170)

As provided in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention. Tsukuda does not support an anticipatory-type rejection by not describing features recited by the present application's independent claims.

According to aspects of the present invention, information including a home and a

working place address of a receiver are registered in a home-delivery server. A receiver can operate a terminal to select a receiving location from a group including a vicinity of the receiver's home and workplace. Criteria for such a selection can vary, for example, according to the contents of the parcel. Thus, the parcel can be received at a designated location that is convenient for the receiver, e.g., at a location along a business trip, at a location near home, or the like, factoring in the receiver's desires and schedule.

According to aspects of the present invention, after the receiver selects a place for receiving the parcel, a map showing a vicinity of the selected place based on the address, is displayable on a terminal. The receiver can then designate a specific convenient, consignment relay station from those displayed.

Tsukuda, on the other hand, merely teaches (col. 2, lines 42-52):

. . . determining scheduled date and time for delivery. . . from a schedule information of a delivery information of each area . . . (and) . . . means for determining that the delivery of the commodities or goods is to be conducted through an agent.

That is, Tsukuda does not teach any such choice of delivery location.

Registering User Information Including Home Address And Working Place Address Of Receiver Not Taught By Tsukuda

Selecting Place For Receiving Parcel From Group Including Vicinity Of Receiver's Home And Working Place Not Taught By Tsukuda

Claim 1 recites a home-delivery method for a receiver to receive a parcel including "registering user information including a home address and a working place address of the receiver in a home-delivery server . . . and . . . selecting a place for receiving the parcel from a group including a vicinity of the receiver's home and working place."

The Examiner contends that Tsukuda teaches "registering consignment information for the delivered good and for the agent receiving the goods." (Action at page 4). The Examiner also contends that Tsukuda teaches "receiving information about . . . consignment relay station, or agent location ." (Action at page 4).

However, Applicants submit that Tsukuda does not teach, in the lines cited or anywhere else, registering user information including home address and working place address. Tsukuda merely teaches (col. 2, lines 43-47):

. . . determining scheduled date and time for delivery. . . from a schedule information of delivery information of each area of the distributor and . . . the purchaser.

Further, Tsukuda does not teach selecting a place for receiving the parcel from a group including a vicinity of the receiver's home and working place. Tsukuda merely teaches (cols. 8-

9, starting at line 64) delivering to an address of a home or an agent.

Similarly, Tsukuda does not teach the features recited in independent claims 5 and 8.

Message Inviting Receiver Not Taught By Tsukuda

Dependent claim 7 recites "informing the receiver of a message . . . the message inviting the receiver to receive the parcel." The Examiner contends that this feature is taught by Tsukuda citing col. 7, lines 52-55. (Action at page 5). Applicants submit that Tsukuda does not invite a receiver, but merely teaches (col. 2, lines 46-55) notification to a client "in the same manner as in the step 1002 that is "a flag of arrival."

Conclusion

Since Tsukuda does not teach features recited in claims 1, 5, 7, and 8 (all as amended), the rejections should be withdrawn and the claims allowed.

ITEMS 18(page 6)-19(first entry): REJECTION OF CLAIM 2 UNDER 35 U.S.C. §102(e) OR UNDER 35 U.S.C. §103(a) BY TSUKUDA

The Examiner rejects dependent claim 2 as anticipated, or in the alternative, as obvious over Tsukuda. (Action at page 6).

Claim 2 recites that a home-delivery method includes designating a consignment relay station by "selecting a place for receiving a parcel from a group including at least the receiver's home and working place."

While the Examiner contends that Tsukuda teaches delivery information including weight, the Examiner does not contend that Tsukuda either teaches, or that it is obvious in view of Tsukuda, a method selecting a place for receiving a parcel from a group including at least the receiver's home and working place.

Applicants submit that this feature is not taught by Tsukuda or obvious in view of Tsukuda.

Conclusion

Since Tsukuda does not teach features recited in claim 2, and *prima facie* obviousness is not established, the rejection should be withdrawn and the claim allowed.

ITEMS 19 (second entry) -22: REJECTION OF CLAIM 4 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER TSUKUDA IN VIEW OF COMPUSA (www.CompUSAstore.com)

The Examiner rejects claim 4 under 35 U.S.C. §103(a) over Tsukuda in view of CompUSA. (Action at pages 6-7).

Claim 4 recites a method displaying "information about a privilege, the privilege being given to the receiver when the receiver receives the parcel before or at the designated day and time at the displayed consignment relay station."

***Prima Facie* Obviousness Not Established**

Privilege Not Described By Cited Art Alone Or In Combination

As provided in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F. 2d 1981, (CCPA 1974)."

The Examiner contends that Tsukuda teaches "privilege information such as delivery confirmation, when and after the item is received." (Action at page 7). However, all that Tsukuda teaches (col. 9, lines 33-45) is a mere "confirmation of receipt." Tsukuda does not teach in the lines cited, or anywhere else, that a privilege is given when a parcel is received before or at a designated day. For example, as shown in FIG. 11, such a privilege includes, for example, "discount coupon ticket or "5% discount" as a specific benefit to a receiver.

Conclusion

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claim 4 allowed.

ITEMS 19 (second entry) -22: REJECTION OF CLAIMS 3 AND 6 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER TSUKUDA IN VIEW OF COMPUSA

The Examiner rejects claims 3 and 6 under 35 U.S.C. §103(a) over Tsukuda in view of CompUSA. (Action at pages 6-7).

The Action concedes that Tsukuda fails to disclose "displaying a map of relay stations for the selection of a station." (Action at page 6).

Nevertheless, the Examiner contends that that the feature is taught by CompUSA and there is it would have been obvious to modify Tsukuda "for the benefit of finding the closest location to the receiver."

No Motivation Or Reasonable Expectation of Success Stated Within the Cited Art To Combine In The Manner Proposed By The Examiner

As set forth in MPEP 2143.01, the "mere fact that references can be combined modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination."

Applicant submits that Tsukuda does not provide any motivation for a display of a map since Tsukuda teaches a delivery merely to a home address, or a agent and then to a home address.

Conclusion

Since *prima facie* obviousness has not been established, the rejections should be withdrawn and claims 3 and 6 should be allowed.

NEW CLAIMS

New dependent claim 9 recites that the computer-readable storage storing a program for controlling a computer to control a home-delivery system for a receiver to receive a parcel includes confirming whether a user is a correct receiver

New claims 10-12 recites a home-delivery method for a receiver to receive a parcel, including delivering a parcel to a consignment relay station selected by the receiver, from a group including a vicinity of the receiver's home and working place, or to a default location.

New claims 14-17 recite a user terminal receiving information about a parcel to be received and transmitting a location for a delivery from a group including a vicinity of the receiver's home and working place.

These, and other, features of claims 10-17 are patentably distinguishable from the cited art, and they are submitted to be allowable for the recitations therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

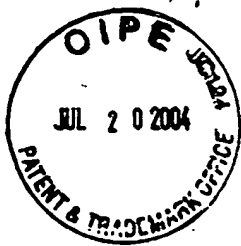
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ANNOTATED SHEET

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Fig. 1

GROUP 3600

1 DELIVERY SYSTEM

3 DELIVERY SERVER

